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October 18, 1995

**By Hand Delivery**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

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OCT 18 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In re: **GC Docket No. 95-21, In the Matter of Amendment of 47  
C.F.R. § 1.1200 et seq. Concerning Ex Parte Presentations  
in Commission Proceedings; Memorandum of Oral Ex  
Parte Presentation**

Dear Mr. Caton:

The Federal Communications Bar Association, by its undersigned representative and in accordance with Section 1.1206(a)(2) of the Commission's Rules and Regulations, hereby respectfully submits for inclusion in the record of the above-referenced proceeding an original and one copy of a memorandum summarizing an oral ex parte presentation made to the Office of the General Counsel of the Federal Communications Commission in the subject proceeding on October 16, 1995. We apologize for the late filing of the memorandum.

Any questions concerning this matter may be directed to the undersigned.

Very truly yours,

John Griffith Johnson, Jr.  
Chair, Ex Parte Rules Committee  
Federal Communications Bar Association  
c/o Bryan Cave LLP  
700 13th Street, N.W., Suite 700  
Washington, D.C. 20005-3960  
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**Mr. William F. Caton**  
**October 18, 1995**  
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**Enclosure (x 2)**

**cc: David H. Solomon, Esq., with enclosure (by hand delivery)**  
**Susan H. Steiman, Esq., with enclosure (by hand delivery)**  
**David S. Senzel, Esq., with enclosure (by hand delivery)**

**Memorandum of Oral Ex Parte Presentation in GC Docket No. 95-21**

October 16, 1995

**Present:**

**For the Office of the General Counsel of the Federal Communications Commission  
("OGC"):**

David H. Solomon, Esq., Deputy General Counsel  
Susan H. Steiman, Esq., Deputy Associate General Counsel  
David S. Senzel, Esq., Counsel

**For the Federal Communications Bar Association ("FCBA"):**

Arthur B. Goodkind, Esq., Former Member, FCBA Executive Committee  
John Griffith Johnson, Jr., Esq., Chair, FCBA Ex Parte Rules Committee

**SUMMARY OF PRESENTATION**

Representatives of the OGC presented to representatives of the FCBA certain proposals which are currently under consideration as possible amendments to the Federal Communications Commission's (the "Commission's") current ex parte communications rules. Those proposals include providing for classification of all proceedings before the Commission into one of three categories: (1) proceedings which are exempt from the requirements of the ex parte rules; (2) proceedings to which the so-called "permit-but-disclose" procedures would apply; and (3) all other proceedings, which would be classified as "restricted" for purposes of the ex parte rules.

The OGC representatives further explained that it is currently contemplated that the definitions of a "party" or "parties" for purposes of the ex parte rules would be amended in a manner that would make it easier to identify at what point in time, and to what interested persons, the applicable ex parte procedures would govern in a proceeding.

The FCBA representatives were asked for their initial reaction to the proposals as described to them by the OGC representatives. The FCBA representatives stated that their initial reaction, without having previously considered the proposals or having reviewed them in written form, was that the proposals appear to represent a reasonable approach to revision of the ex parte rules. The FCBA's representatives expressed the FCBA's gratitude for being accorded the opportunity to receive an exposition of the proposals at this point in time.

The OGC's representatives emphasized that the proposals are still under consideration and are subject to modification within the Commission prior to the adoption of a Report and Order in GC Docket No. 95-21.

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